

Filed Electronically on 3/30/2009

PATENT
Docket No. STL06943

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Stephen P. Williams

Assignee: SEAGATE TECHNOLOGY LLC

Application No.: 09/768,975

Filed: January 23, 2001

For: DUAL STAGE, HEAD STACK ASSEMBLY FOR A DISK DRIVE

Group No.: 2627

Examiner: Mark Blouin

Notice of Allowance mailed: 12/30/2008

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Sir:

This paper is filed in response to the Examiner's Statement of Reasons for Allowance included in the Notice of Allowance/Notice of Allowability mailed December 30, 2008.

REMARKS

The Applicant gratefully acknowledges allowance of the case by the Examiner, but affirmatively denies any acquiescence to the Statement(s) of Reasons for Allowance. The Applicant respectfully submits that the allowed claims meet the requirements of patentability over the art of record, and it is on this basis that the patent grant is proper.

The Applicant traverses any view that the patentability of the claims was required by any particular feature, or by all of the features, set forth in the allowed claims. Thus, the statements and characterizations by the Examiner with regard to the reasons for allowance are expressly denied and will have no preclusive effect on the construction and scope of the claims. In particular, without limitation, the statements indicate that "Claims 22, 59, and 67 specifies a tape head read/write module..." when in fact claims 22 and 59 are directed to a data storage device and claim 67 is directed to a method including the step of securing a data transfer assembly."

March 30, 2009

/Mitchell K. McCarthy/

Date: _____

Mitchell K. McCarthy, Registration No. 38,794
McCarthy Law Group
5830 NW Expressway, #353
Oklahoma City, OK 73132
Telephone: 877.654.6652
www.mccarthyiplaw.com